

3/20/06, Monday, March 20, 2006

CITY OF EAU CLAIRE

PLAN COMMISSION MINUTES

Meeting of March 20, 2006

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Levandowski, Waedt, Vande Loo, Duax, Larson, Ms. Kincaid

Staff Present: Messrs. Tufte, Genskow, Ivory, Ms. Noland, Ms. Doyle

The meeting was chaired by Mr. Levandowski.

1. **PRESENTATION " Jay Tappen**

A plaque was presented to Jay Tappen for his years of service on the Plan Commission.

2. **REZONING (Z-1344-06) " R-1A to R-1, 4700 Jeffers Road**

and

CERTIFIED SURVEY MAP (CSM-04-06) " 3 Lots, Jeffers Road

Glenn and Janice Mack are requesting to rezone property located on the west side of Jeffers Road, north of Prairie Lane, from R-1A to R-1. The property is part of a larger parcel that has 3 existing homes on it. One of the homes was recently damaged due to fire. Applicant is requesting building permits to repair the fire damaged home. The buildings on the property are nonconforming since there are 3 homes on one lot. Staff cannot issue building permits for the property due to the nonconforming situation.

To correct the nonconformities, applicant has filed a Certified Survey Map to create 3 lots for the 3 homes on the property. The lots for this CSM require R-1 zoning to meet design and dimensional standards of code. The Comprehensive Plan>

Dennis Mack, 1728 Nicolas Drive, spoke in support.

No one appeared in opposition.

Mr. Waedt moved to recommend approval of the rezoning application. Mr. Vande Loo seconded and the motion carried.

Mr. Duax moved to recommend approval of the CSM subject to City Council approval of the rezoning. Mr. Waedt seconded and the motion carried.

3. **REZONING (Z-1346-06) " Ordinance Amendment, Chapter 18.30, Detached Garages**

The Commission discussed a proposed amendment to Chapter 18.30 of the Zoning Code that would increase the allowed accessory height of detached garages from 15' to 18'. Taller detached garages are allowed with approval of a conditional use permit by the Plan Commission. The amendment also allows consideration by the Plan Commission by a conditional use permit request of a second detached garage on a property provided the lot is at least 1 acre in size.

Ron Peterson, 3615 Starr Avenue, spoke in support of the proposed amendment.

Mr. Vande Loo moved to recommend approval of the amendment to the zoning code. Ms. Kincaid seconded and the motion carried.

4. **CONDITIONAL USE PERMIT (CZ-0603) " Banner Signs, Ken Vance Auto, 5252 Hwy. 93**

Ken Vance Motors has submitted an application for a conditional use permit both to allow 11 display banners to>

The Commission reviewed a revised site plan showing 11 banners within its parking lot. The banners would be 3' x 8' in size and comply with setback requirements. One banner would be installed per pole.

David Klinkhammer, representing Ken Vance Motors, Inc., spoke in support of the application.

No one appeared in opposition.

The Commission discussed the application. Mr. Duax and Mr. Larson noted that they felt that due to the large scale of the site that the proposed banners would not create sign clutter on the premise. They added that they felt that the banners would not be visible from Highways 93 or 94. Ms. Kincaid and Mr. Vande Loo expressed concerns about the number of proposed banners, noting that some of the banners should be eliminated. They also questioned the need for providing brand name advertising on the banners.

Mr. Duax moved to approve the conditional use permit subject to verification of the wind load requirements. Mr. Waedt seconded. The motion failed on a 4-2 vote with Ms. Kincaid and Mr. Vande Loo voting no. (Five votes are required.)

The Commission continued their discussion. Ms. Kincaid proposed that 4 of the banners be eliminated.

Mr. Klinkhammer stated that if 4 banners were to be eliminated, he would suggest banners numbered 1, 4, 7, and 11 and noted that this would be acceptable.

Ms. Kincaid moved to approve the conditional use permit subject to the verification of wind load requirements and that the banners

numbered 1, 4, 7 and 11 be eliminated. Wording on the remaining banners can change accordingly due to the elimination of these 4 banners. Mr. Vande Loo seconded and the motion carried.

5. **CONDITIONAL USE PERMIT (CZ-0606) “ Banner Signs, Ken Vance Car City, 2802 Lorch Avenue**

Ken Vance Car City originally submitted an application for a conditional use permit both to allow 8 display banners to>

The Commission reviewed a revised site plan showing 6 banners within its parking lot. The banners would be 3TM x 8TM in size, two banners per light pole and would comply with setback requirements.

David Klinkhammer, representing Ken Vance Car City, spoke in support of the application.

No one appeared in opposition.

Mr. Waedt moved to approve the conditional use permit, subject to the verification of wind load requirements. Mr. Duax seconded and the motion carried.

6. **CONDITIONAL USE PERMIT (CZ-0607) “ Cell Tower, 2119 Heights Drive**

Alltel Communications is requesting a conditional use permit to allow a public utility tower (cell tower) to be located to the northeast of the building located at 2119 Heights Drive. The request is for a 59TM high pole camouflaged as either a light pole or pine tree. The utility equipment associated with the pole would be within the building. The Waterways and Parks Commission reviewed the request since it is abutting Putnam Park and they have recommended the stealth pine tree design.

Maureen Von Hoven, representing Faulk & Foster and Alltel Communications, spoke in favor of the request. Ms. Von Hoven indicated that the need for the tower is to address capacity issues at the University. Her firm had contacted the University and Sacred Heart Hospital in the past for possible tower locations, but both were not interested in locating a tower or antenna on their properties. Ms. Von Hoven also provided coverage information to the Commission and information pertaining to the tower fall zone. She added that the pine tree design tower would have branches from 30 feet above the ground to the top of the structure.

Skip Yoder, representing Sacred Heart Hospital, expressed concern about the proposed tower location. Mr. Yoder noted that the hospital owned property in the area and questioned whether the tower would create interference with their operations. He noted that the hospital owns the 4-story building directly to the south and that they would be interested in allowing the antenna to be placed on the buildingTMs roof.

Peter Nolte, Sacred Heart Hospital, asked why the capacity of AlltelTMs existing tower could not be increased.

Ms. Von Hoven indicated that the capacity of the existing tower could not be increased. The proposed tower would be addressing a specific capacity problem at the University.

Ms. Kincaid moved to approve the conditional use permit with the conditions included in the staff report and subject to the applicantTMs failure to secure a rooftop lease arrangement with Sacred Heart Hospital for the 4-story Professional Office Building within a one month period. Mr. Larson seconded and the motion carried.

CONDITIONAL USE PERMIT (CZ-0608) “ Office in I-1P District, 2517 Truax Blvd.

Paul Del Torto is requesting a conditional use permit to allow a professional office use in Gateway Industrial Park at 2517 Truax Boulevard.

Mr. Del Torto submitted a letter asking to withdraw this request.

8. **CONDITIONAL USE PERMIT (CZ-0609) “ Cell Tower, 2023 Fairfax Street**

Alltel Communications is requesting a conditional use permit to allow a public utility tower (cell tower) to be located within a parking lot for a commercial property at 2023 Fairfax Street. This request is for a 100TM high monopole cell tower with equipment building and enclosure located at the back of the existing parking lot at this site. The 100TM high cell tower has room for 3 mounting platforms for antennas. The equipment building would be 11TM5 x 16TM in size. The base of the tower and equipment building would be enclosed with chain link fence.

Applicant had previously submitted a request for a cell tower at the Wesleyan Church site on Clairemont Avenue, which was postponed by the Plan Commission. The Commission requested applicant to consider alternative sites for this service area. This request, along with Item CZ-0610 on the agenda, are alternative locations for the cell tower service area. Only one of these requests needs approval to provide the service needed by applicant. No landscaping information was provided with the application.

Mr. Tufte noted that the parking information had been provided and sufficient parking would still exist on site if the tower were constructed.

Maureen Von Hoven, representing Faulk & Foster and Alltel Communications, spoke in favor of the request. Ms. Von Hoven provided coverage information to the Commission and information pertaining to the tower fall zone.

Robert Brown, the owner of the property, spoke in support.

No one spoke in opposition.

The Commission discussed the standards for collapse of the tower and the visual appearance of the tower at this site.

Mr. Larson moved to approve the conditional use permit with the staff conditions and that screening of the utility building be provided in the form of fencing using at least a solid vinyl material. Fencing using brick would be acceptable. Mr. Duax seconded and the motion carried.

9. **CONDITIONAL USE PERMIT (CZ-0610) “ Cell Tower, 2159 Brackett Avenue**

Alltel Communications is requesting a conditional use permit to allow a public utility tower (cell tower) to be located on a yard area for part of property addressed as 2159 Brackett Avenue. This request is for a 100TM high monopole cell tower with equipment building and enclosure located to the south and east of the existing car wash on the parcel to the west. The 100TM high cell tower has room for 3

mounting platforms for antennas. The equipment building is 11TM5 x 16TM in size. The base of the tower and equipment building is enclosed with chain link fence.

Applicant had previously submitted a request for a cell tower at the Wesleyan Church site on Clairemont Avenue, which was postponed by the Plan Commission. The Commission requested applicant to consider alternative sites for this service area. This request, along with Item CZ-0609 on the agenda, are alternative locations for the cell tower service area. Only one of these requests needs approval to provide the service needed by applicant.

Maureen Von Hoven, representing Faulk & Foster and Alltel Communications, spoke in favor of the request. Ms. Von Hoven also provided coverage information to the Commission and information pertaining to the tower fall zone.

Allen Erickson, representing his mother who owns two residential properties to the north, spoke in opposition to the request.

Mr. Genskow discussed the relation of the proposed tower with possible future plans to extend a road connection between Fairfax Street and Brackett Avenue.

Mr. Duax moved to deny the conditional use permit. Mr. Larson seconded and the motion carried.

CONDITIONAL USE PERMIT (CZ-0611) “ Home Occupation, 811 Garden Street

Randal Hill is requesting a conditional use permit to allow a home occupation consisting of a tax service located at 811 Garden Street.

Randal Hill, the applicant, stated that he was withdrawing his application and moving his business to 10 Platt Street. His business has grown to the point where a new site is needed.

Joe Haag, 621 West Grand Avenue, spoke in support of allowing Mr. Hill time to relocate to the new location.

ACQUISITION “ 121 North Barstow Street

The Commission reviewed a proposal for the City to acquire a property located at 121 North Barstow Street. Ms. Noland indicated that the parcel was available from the County on back taxes. The parcel could be developed for parking.

Mr. Vande Loo moved to recommend approval of the property acquisition. Ms. Kincaid seconded and the motion carried with Mr. Duax voting no.

SITE APPROVAL “ CDBG Home Ownership Program, 722 Fleming Avenue

The Eau Claire Housing Authority has submitted a request for site approval of the purchase of a single-family home located at 722 Fleming Avenue for the CDBG Home Ownership Program. The home would be purchased using the block grant funds and then rented to an income eligible household. This would be a voluntary sale and purchase agreement.

Ms. Doyle, Director of the CityTMs Housing Authority, spoke in favor of the request.

Ms. Kincaid moved to approve the resolution for the purchase of the home located at 722 Fleming Avenue. Mr. Vande Loo seconded and the motion carried.

13. PRELIMINARY CONDO PLAT (P-03-06) “ Southvilla Condominium

and

SITE PLAN (SP-0605) “ Southvilla Condos, Duplexes, Damon Street

Mark Held is requesting approval of the site plan for 15 duplexes to be located on the north side of Damon Street, east of Boardwalk Street, and to approve the preliminary condo plat for the project. The General Development Plan approved by City Council for this property allows 15 duplexes.

Applicant is proposing 15 duplexes on the property, with a different design than the original plans. The design of the duplexes on the property is similar to duplexes approved by the Plan Commission for the 8 duplexes under construction across the street. The fronts of the building have split double garages with doors, windows, half brick siding, and a porch. Required parking for each duplex is provided in the attached double garages for each unit. The site plan incorrectly indicates the City sidewalk on applicantTMs property and it should be on the street right-of-way. Sterling Drive is shown as a 28TM wide private drive (same as original approval) with sidewalks on both sides of the street.

City Engineer approval of construction details for the private street is recommended. Foundation plantings are provided between the driveways for each unit and around the decks. Street trees are indicated along Damon Street and Sterling Drive. City Engineer approval of a revised drainage plan has been provided.

The preliminary condo plat for the property is an addendum to the existing condo plat for the 8 duplexes across the street and the change in the design of each unit. Association by-laws will need to be provided with the final condo plat addressing the common elements of the project. The front 10TM wide utility easement for this property for Xcel Energy, SBC and Charter Communication are indicated on the condo plat. City Attorney approval of the removal of this property from its existing condo plat is recommended, as was done with the previous approval.

Mark Held, the applicant, spoke in support.

Mr. Duax moved to approve SP-0605 and preliminary condo plat P-03-06 with staff conditions. Mr. Waedt seconded and the motion carried.

14. STREET AND ALLEY VACATIONS “ Phoenix Park Area

The City is proposing to vacate the following right-of-way:

- Wisconsin Street, from Riverfront Terrace to west end
- Alley south of Madison Street, from Riverfront Terrace to west end
- Alley south of Madison Street, from Riverfront Terrace to Hobart Street

Mr. Genskow noted that the street vacations would not impact any utilities or transportation needs of the City and would facilitate the North Barstow Area redevelopment efforts. One utility easement along Wisconsin Street should be retained however.

Mr. Vande Loo moved to recommend approval of the street and alley vacations, subject to retaining a utility easement along the southerly 30 feet of Wisconsin Street. Ms. Kincaid seconded and the motion carried.

SITE PLAN (SP-0606) “ Luther Hospital Addition, Bellinger Street

Ayres Associates is requesting approval of a site plan for the ICU addition to Luther Hospital off Bellinger Street. The request is for a 16,000 square foot building addition and a 6,300 square foot æHealing Garden to be constructed off the northeast wall of the hospital.

The required parking for the addition is 19.5 stalls. The location of the addition will result in the loss of 56 stalls at the site. The required parking for the addition is provided with the new 353-stall parking lot under construction on Cameron Street, northwest of the hospital. Applicant is providing a summary of a campus parking study for our files. Site access is modified with this request. A main access to Bellinger Street is removed and will be replaced with a small access to the south. The grading plan notes a æfuture ambulance entry drive next to the existing entrance to the north. Staff noted a concern with the spacing of this future access from the existing access and suggests that the applicant modify this design prior to submittal for Plan Commission review.

The drainage and utility plans have been submitted to the City Engineer. His review of drainage and utility details is recommended. The utility plan notes the moving of a fire hydrant, which should be subject to Fire Department approval. The landscape plan notes foundation plantings and shade trees. The narrative from applicant notes the exterior lighting for the project and that no additional parking lot lighting is planned with this request.

Disa Wahlstrand, Ayres Associates, spoke in support of the request.

Mr. Vande Loo moved to approve SP-0606 with staff conditions. Mr. Waedt seconded and the motion carried with Ms. Kincaid abstaining.

SITE PLAN (SP-0607) “ Action City Mini-Golf Course, 2402 Lorch Avenue

Mark Steil is requesting approval of a site plan for a mini-golf course to be developed on the north side of the Action City building, south of I-94, at 2402 Lorch Avenue. The site plan shows an 18-hole mini-golf course to the north of the existing building. Required parking for this golf course is 18 stalls. There are 188 parking stalls on this site, of which 181 are required parking for the existing building. This leaves 7 stalls available for the required parking for the golf course. The site plan notes 32 future parking stalls along the west side of the building. Eleven of these stalls will need to be constructed at this time to provide the required parking for this golf course.

The golf course extends into the 50™ setback area along I-94, which is allowed as long as no structures are planned within this area. Minor accessory structures are exempt from this setback requirement. The grade for the golf course shows a 10™ high hill with waterfall feature. A utility easement exists for the overhead power lines in this area. Staff recommends that a letter be provided from the utility companies indicating their approval of the change in grade planned for this facility. The exterior lighting plan shows 25™ high poles with a 25º tilt in fixtures. Fixtures must be mounted horizontal to the ground with fully recessed fixtures. The City Engineer needs to review drainage for the facility.

Mr. Vande Loo moved to approve SP-0607 with staff conditions and City Engineer approval of drainage. Ms. Kincaid seconded and the motion carried.

17. ELECTION OF OFFICERS

Mr. Waedt moved to nominate Mr. Kaiser as Plan Commission Vice-Chair. Motion carried.

18. DISCUSSION/DIRECTION

A. Sign Code Amendment “ Electronic Message Center Signs

Mr. Ivory provided an overview of draft standards to allow electronic message center signs within residential zoning districts. This is in response to a request from Regis High School to permit the installation of this type of sign. The Commission discussed the draft standards, noting several revisions. Mr. Ivory noted that representatives of Regis had not had a chance to review the draft standards prior to the meeting and asked that the Plan Commission wait until the next meeting to direct staff to draft the actual ordinance amendment.

B. Code Compliance Items

None.

C. Future Agenda Items

None.

D. Comprehensive Plan

Mr. Tufte noted that the City had won an award from the Wisconsin American Planning Association for the recently adopted Comprehensive Plan.

MINUTES

The minutes of the March 6, 2006 Plan Commission meeting were approved.

The meeting was adjourned at 10:30 p.m.

Fred Waedt, Secretary